

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 212 of 1989

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO
 2. To be referred to the Reporter or not? : NO
 3. Whether Their Lordships wish to see the fair copy of the judgement? : NO
 4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO
 5. Whether it is to be circulated to the Civil Judge? : NO

R C SHARMA

Versus

OIL & NATURAL GAS COMMISSION

Appearance:

MR IS SUPEHIA for Petitioners

MS KJ BRAHMBHATT for Respondent No. 1, 2

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 31/08/2000

ORAL JUDGEMENT

#. Heard learned counsel for the parties.

#. From the reply to the Special Civil Application, I

find that the under the Stagnation Relief Scheme evolved vide O.M. No.2(50)/80-RP-I dated 3.2.1983 it was decided that all the Class III employees who as on 1.4.82 had put in at least 18 years of service in the present grade and in the grade immediately below Class III, in aggregate, were to be considered for promotion by the Departmental Promotion Committee. Admittedly the petitioners have not completed 18 years services on the day on which the benefits were given to other persons by the Corporation. It is strictly not the case of relaxation in the matter of promotion but these persons were given benefit under Stagnation Relief Scheme as they have completed 18 years of service in the Corporation and the case of the petitioners are not comparable with the case of those persons. In rejoinder reference is made to the case of the Topman but it is altogether different cadre and no comparison can be made with the class of the persons to which petitioner belong.

The learned counsel for the petitioner admitted that none of the persons in the category to which the petitioners belong having less than 18 years service has been given promotion under the scheme aforesaid. None of the legal or fundamental rights of the petitioners is infringed.

In the result, the Special Civil Application fails and the same is dismissed. Rule is discharged. Interim relief if any earlier granted stands vacated. No order as to costs.

(S.K.Keshote, J.)

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